



Groundwater & Environmental Services, Inc.  
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December 21, 2020

Reference No. 039611

Director, Superfund Division  
c/o Mr. William Murray  
EPA Project Manager/Coordinator  
U.S. Environmental Protection Agency (USEPA) Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

sent via email  
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Mr. John Matson  
Associate Regional Counsel  
U.S. Environmental Protection Agency (USEPA) Region 5  
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sent via email  
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Mr. Douglas Petroff  
Senior Environmental Manager  
Indiana Department to Environmental Management (IDEM)  
Federal Programs  
MC 66-31, Room 1101  
100 N. Senate Avenue  
Indianapolis, Indiana 46206-6015

sent via email  
[dpetroff@idem.in.gov](mailto:dpetroff@idem.in.gov)

**Re: Annual IC Monitoring, Compliance Assurance, and Certification Report  
Himco Dump Site, Elkhart, Indiana (Site)**

Dear: Director, Mr. Murray, Mr. Matson, and Mr. Petroff:

This report is submitted by Groundwater & Environmental Services, Inc. (GES) on behalf of the Performing Settling Defendants (PSDs), collectively known as the Himco Site Trust (the Trust).

In accordance with the provisions contained within the USEPA-approved Institutional Controls Implementation and Assurance Plan (Plan) also known as the Long-Term Stewardship (LTS) Plan and the First Five-Year Review Report for the Himco Dump Superfund Site (March 1, 2016), the Trust hereby declares annual compliance with the Institutional Controls (IC) Maintenance Elements and the Environmental Restrictive Covenant in place on the landfill property.

In addition, GES has contacted the Elkhart Utilities Department, Public Works Office, and County Recorder's office to validate property ownership, drinking water well status, and property zoning. All properties with ICs in place have been validated to show no change in zoning and no groundwater drinking wells have been installed on the subject properties. An updated "Himco Site



Property Ownership & Institutional Controls" table (Table 1) has been provided to document this information as well as any property changes that were noted during the IC research.

**Annual Certification Statement:**

As documented in quarterly reports submitted in Reporting Year 2020 (RY2020), the Site was inspected during sampling events; all ICs remain in place and effective at the Site; no inconsistent uses have occurred; no land use proposals have been made and no drilling or excavation has occurred that are not in conformance with the Consent Decree; and no contingency actions were necessary.

As outlined in the Plan, the Himco Trust has documented compliance with:

- the Elkhart's Public Works and Utilities Department that no groundwater drinking wells have been installed in the affected locations; and
- the Elkhart County Recorder's Office that property ownership and zoning are unchanged.

The Himco Trust continues to maintain compliance with the Plan.

Himco Representative: Randall Cooper, P.E.

Certification Signature

A handwritten signature in dark ink, appearing to read 'Randall Cooper', is written over a horizontal line.

Date: 12/22/20

Should you have any questions on the above, please do not hesitate to contact us.

Sincerely,

GROUNDWATER & ENVIRONMENTAL SERVICES, IINC.

A handwritten signature in dark ink, appearing to read 'Stephen E. Betts', is written in a cursive style.

Stephen E. Betts  
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cc: Randall Cooper, Bayer Corporation (via e-mail)  
Chintan Amin, Bayer Corporation (via email)  
Jennifer Simon, Kazmarek Mowrey Cloud Laseter LLP (via email)



## Institutional Control Table

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**TABLE 1**  
**HIMCO SITE PROPERTY OWNERSHIP & INSTITUTIONAL CONTROLS ELKHART, INDIANA**

No.	Address (CD Parcel)	Tax Identification Number	Current Property Owner	IC Instrument	Previous Property Owner (if applicable) prior to LTS Plan 2020 Elkhart County Search	Sale Date
<b>Landfill Parcels</b>						
1	Consent Decree Parcel C	01-36-226-001-006	Bayer Healthcare LLC	ERC 7/30/13		
2	Consent Decree Parcel D, F, Q, & S	01-36-251-015-005; 01-36-276-003-005; 01-36-251-013-005; 01-36-276-001-006	Cooper Land Company of New Jersey, Inc. (an affiliate of Bayer Healthcare LLC)	ERC 1/15/09		
3	Consent Decree Parcel G	01-36-276-004-006	Indiana Michigan Power	ERC 3/24/08		
4	Consent Decree Parcel J	01-36-201-001-005	Giada Holdings, LLC	ERC 12/18/19	Zaps Distributing	11/2018
5	Thin Parcel bisecting J ("FF")	01-36-201-002-005	Wells Fargo Trustee for CLD Corporation	ERC 2/28/18		
<b>Residential Parcels</b>						
1		02-31-101-001-026	Stanley R. Swinehart and Dixie L. Swinehart	ERC 12/3/09		
2		02-31-102-001-026	Stella M. Kilgore and Harvey Kilgore	ERC 4/2/09		
3		02-31-101-002-026	Susana A. Fritz	ERC 12/3/09		
4		02-31-102-002-026	DeWayne and Christy Lynn Stinson (Wentland)	ERC 12/3/09		
5		02-31-101-003-026	Carol Highbaugh	ERC 11/11/09		
6		02-31-102-003-026	Larry W. Wentland, Sr. and Peggy Wentland	ERC 11/10/09		
7		02-31-101-004-026	WISE LARRY D TRUSTEE LARRY D WISE LIVING	ERC 12/3/09	Larry D Wise	4/2016
8		02-31-102-004-026	Richard L. and Cheryl Harrington	ERC 2/29/08		
9		02-31-101-005-026	Billy Harrison Burns, Jr. and Patrice J. Burn	DR 4/25/18		
10		02-31-102-005-026	Harold and Martha Williamson	ERC 12/3/09		
11		02-31-101-006-026	Margaret Burns	ERC 12/3/09	Ronald W. Burns and Illuminada P. Burns	12/2020
12		02-31-102-006-026	Marjorie Ellen Corpe	ERC 12/3/09		
13		02-31-101-007-026	Brigham Jarrod	ERC 12/3/09	Floyd D. Hendricks and Shirley A. Hendricks	4/2019
14		02-31-102-007-026	Holli C. Litka (Mast)	ERC 12/3/09		
15		02-31-101-008-026	Alex Johnson	ERC 2/29/08		
16		02-31-102-008-026	Miguel Angel Ruiz	ERC 1/15/09		
17		02-31-101-009-026	Mustak Nicole Rose and Dawn Marie Mustak	ERC 2/3/09	Marsha A. Randall	2/2020
18		02-31-101-010-026	Randall Lemasters	ERC 2/29/08	Kathy A. Donovan	4/2018
19		02-31-101-011-026	Diane Elaine Ellis	ERC 2/29/08		
20		02-31-101-012-026	Shane C. Hendrickson	ERC 1/31/08		
21		02-31-101-013-026	Jeremy Ettline Plumbing and Properties	ERC 9/4/08	The Secretary of H.U.D. c/o HMB Inc. - Adele Bel	7/2009
22	27964 Westwood Drive	02-31-101-014-026	Bonito Solutions, LLC	ERC 2/29/08	Dorothy Persing	11/2013
23		02-31-177-001-026	Perkins Lloyd	ERC 9/4/08	Steven W. Hankins and Patricia A. Hankins	12/2018
24		02-31-177-002-026	Cynthia A. Riggs	ERC 2/29/08		
25		02-31-177-003-026	Sandra R. Healey	ERC 2/29/08		
26		02-31-151-001-026	Grant, Christopher T	ERC 2/29/08	Michael P. and Nancy A. O'Brien	10/2015
27		02-31-151-002-026	Greggory F. Cataldo	ERC 2/29/08		
28		02-31-151-003-026	David J. Moore & Stephanie Jo Covey	ERC 2/29/08		
29		02-31-151-004-026	David J. Moore & Stephanie Jo Covey	ERC 2/29/08		
30		025-31-152-017 and 018-026	Gary F. Glick and Marianne Glick	ERC 2/29/08		
31		02-31-152-019-026	Chester, Mary L	ERC 12/3/09	Harold L. Hollar	9/2016
32		02-31-151-008-026	Smith, Joshua	ERC 9/4/08	Richard Ratliff and Vivian Ratliff (Hudnall)	5/2016
33		02-31-151-007-026	Newcomer Mary Ruth Trustee Rev Trust (Life Estate)	ERC 9/4/08		
34		02-31-151-006-026	SHIRLEY JOAN M	ERC 12/3/09	Shirley J. Detwiler	7/2010
35	54239 Northwood Drive	02-31-151-005-026	54239 NORTHWOOD DRIVE LAND TRUST	ERC 7/28/09	54239 Northwood Land Trust (c/o Threasia Hankins)	6/2014
36		02-31-152-001-026	SPAUGH DOROTHY J REVOCABLE TRUST	ERC 11/27/07	Jones, Eldridge, Whalen & Robinson, as TIC	3/2015
37		02-31-152-003-026	ALFORD JAMES & DORINE	ERC 2/29/08		
38		02-31-152-004-026	John M. Haines	ERC 2/29/08		
39		02-31-152-002-026	THORPE JEFFERY L	ERC 2/29/08	Dianne Elaine Murray and Sarah Murray	5/2020
40		01-36-251-019-005	Noble & Selma Bowers (Multiple parcels, only one tax ID listed on County Recorder website)	ERC 2/29/08		
41	28213 County Road 10 (N)	01-36-251-008-005	MNW HOLDINGS LLC	ERC 2/29/08	Helen J. Kolanowski	9/2020
42	28330 County Road 10 (X)	01-36-252-003-005	Elkhart Community Schools	ERC 3/24/08		
43		01-36-251-007-005	REYNOLDS AARON	ERC 2/29/08	Dave Geesaman and Joan Geesaman	4/2013
44		01-36-251-006-005	Maria Ramirez	ERC 3/24/08		
45		01-36-251-005-005	STUGLIK DERIK	DR 4/25/18	Matthew C. Jones	1/2018
46		01-36-251-004-005	Herman C. Rumpf and Patricia C. Rumpf	DR 4/25/18		
47		01-36-251-017-005	CALVILLO MIGUEL ARAIZA & MARIBEL ARAIZA H&W	ERC 4/6/16	Safieh A. Saleh (now owned by Ira & Lois Holdeman)	6/2016
48	Adj E of 28399 County Road ("EE")	01-36-251-020-005	Ecemese, Inc.	DR 4/25/18		
49	(K) (U) 40 acres west of (J)	01-36-251-001-005; 01-36-251-021-005 01-36-126-001-005	Giada Holdings, LLC	ERC 2/1/18		

**Notes:**

- 1 Engineering Controls for the landfill have been met by providing appropriate soil cover, vegetation, drainage control, and soil gas venting.
- 2 Engineering Controls for all affected private property owners have been implemented via connection to municipal water supply and abandoning private wells.
- 3 Cleanup objectives include meeting MCLs for groundwater contaminants including: arsenic, benzene, chloroform, 1,2-DCA(EDC), 1,2-DCP, vinyl chloride, calcium, iron, manganese, sodium, sulfate, 1,1-DCA, and cis-1,2-DCE.
- 4 Properties without Environmental Restrictive Covenants (ERC) were subject to Deed Restrictions (DR) implemented on April 25, 2018.
- 5 ERCs & DRs memorialize the Institutional Controls (IC), which are summarized below.

Institutional Controls	Landfill Parcels	Residential Parcels
Prohibit activity that interferes with the	X	X
Prohibit groundwater use and installation of private wells.	X	X
Abandon private wells.		X
Prohibit digging/drilling into landfill cover.	X	
Limit reuse to industrial, recreational, or commercial.	X	